

**Meeting of the Central Valley Flood Protection Board  
September 28, 2012**

**Staff Report – Encroachment Permit**

**Diablo Vineyards  
Remove and Replace Irrigation Pipe, Solano County**

---

**1.0 – ITEM**

Consider approval of Permit No. 18766 (Attachment B)

**2.0 – APPLICANT**

Diablo Vineyards

**3.0 – LOCATION**

The project is located on the right levee of Steamboat Slough approximately 3.5 miles northeast of Rio Vista, in Solano County.

(Steamboat Slough, Solano County, see Attachment A)

**4.0 – DESCRIPTION**

The applicant proposes to remove and replace a 10-inch diameter steel irrigation pipe in the levee crown.

**5.0 – PROJECT ANALYSIS**

The existing 10-inch diameter irrigation pipe will be replaced by a new 10-inch diameter steel pipe with 3/8-inch wall thickness and coated with liquid epoxy for corrosion protection. The invert of the new pipe will be placed above the 100-year water surface elevation. The project conforms to all Title 23 standards.

**5.1 – Authority of the Board**

- California Code of Regulations, Title 23-Waters, Division 1, Article 3, §6 - Need for a Permit; Article 8, §112 – Streams Regulated, §123 – Pipelines, Conduits, and Utility Lines; Article 9, §193 – Categorically Exempt Activities.

## **5.2 – Hydraulic Analysis**

A hydraulic analysis was not required as the new pipe and existing pump platform block less than 1% of Steamboat Slough.

## **5.3 – Geotechnical Analysis**

The scope of work for this project does not require a geotechnical analysis.

## **6.0 – AGENCY COMMENTS AND ENDORSEMENTS**

The comments and endorsements associated with this project, from all pertinent agencies are shown below:

- Reclamation District No. 501 endorsed the project on April 12, 2012, with no conditions.
- The U.S. Army Corps of Engineers comment letter has not been received for this application. Staff anticipates receipt of a letter indicating that the District Engineer has no objection to the project, subject to conditions. Upon receipt of the letter, staff will review to ensure conformity with the permit language and incorporate it into the permit as Exhibit A.

## **7.0 – CEQA ANALYSIS**

Board staff has prepared the following CEQA determination:

The Board, acting as the CEQA lead agency, has determined the project is categorically exempt in accordance with CEQA under a Class 3 Categorical Exemption (CEQA Guidelines Section 15302) covering replacement or reconstruction of any existing structure.

## **8.0 – SECTION 8610.5 CONSIDERATIONS**

1. Evidence that the Board admits into its record from any party, State or local public agency, or nongovernmental organization with expertise in flood or flood plain management:

The Board will make its decision based on the evidence in the permit application and attachments, this staff report, and any other evidence presented by any individual or group.

2. The best available science that related to the scientific issues presented by the executive officer, legal counsel, the Department or other parties that raise credible scientific issues.

The accepted industry standards for the work proposed under this permit as regulated by Title 23 have been applied to the review of this permit.

3. Effects of the decision on the facilities of the State Plan of Flood Control, and consistency of the proposed project with the Central Valley Flood Protection Plan as adopted by Board Resolution 2012-25 on June 29, 2012:

The proposed project will replace an existing pipe that was in place prior to the adoption of the flood control project. Therefore the proposed project will have no effect on facilities of the State Plan of Flood Control and the project is consistent with the Central Valley Flood Protection Plan.

4. Effects of reasonable projected future events, including, but not limited to, changes in hydrology, climate, and development within the applicable watershed:

There will be no effects to the project from reasonable projected future events.

## **9.0 – STAFF RECOMMENDATION**

Staff recommends that the Board find the project exempt from CEQA, approve the permit, conditioned upon receipt of a U.S. Army Corps of Engineers comment letter indicating that the District Engineer has no objection to the project, subject to conditions, and direct staff to file a Notice of Exemption with the State Clearinghouse.

**10.0 – LIST OF ATTACHMENTS**

- A. Location Maps and Photos
- B. Draft Permit No. 18766
- C. Project Drawings

Design Review:

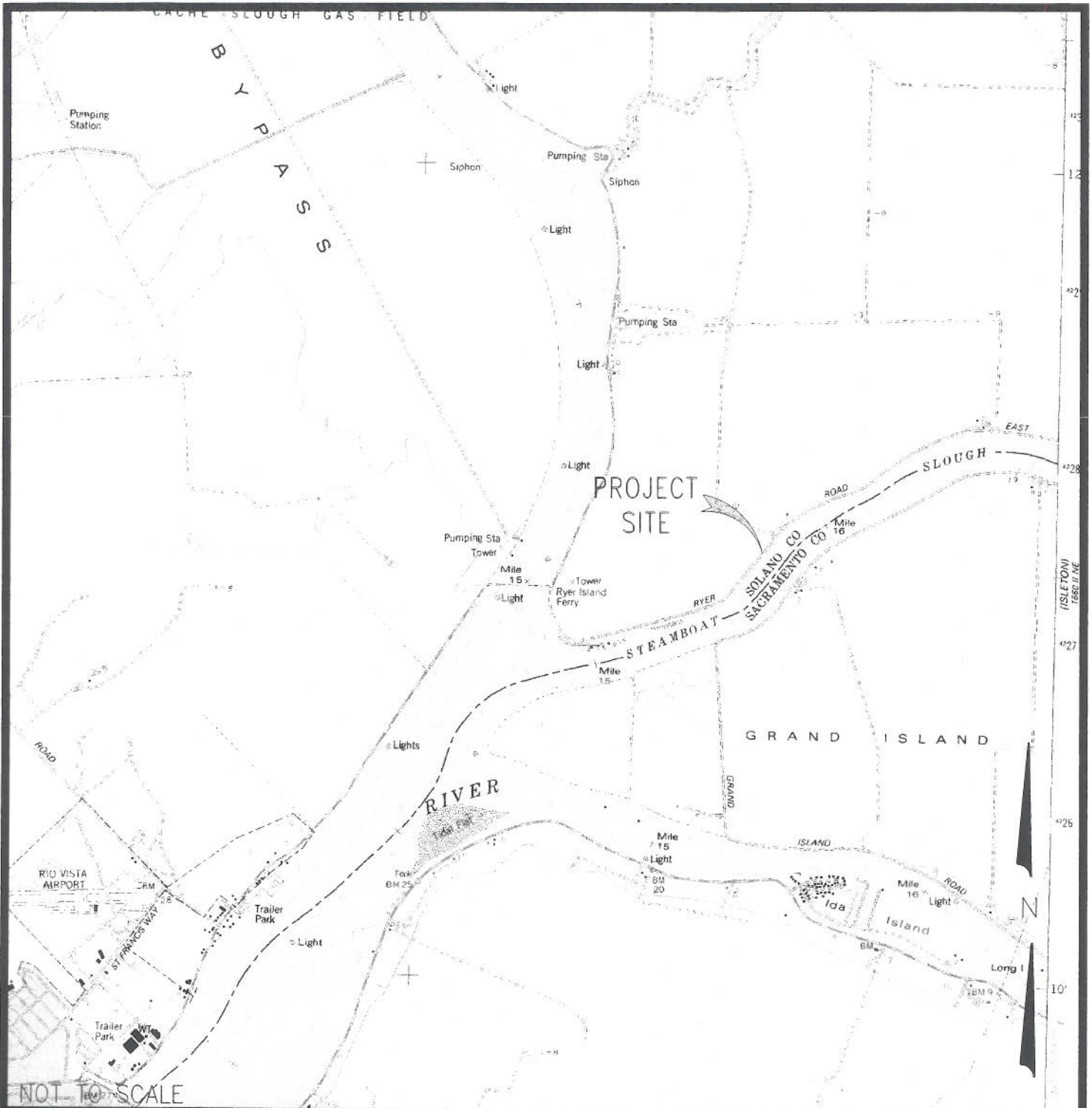
Gary W. Lemon P.E.

Environmental Review:

James Herota, Andrea Mauro

Document Review:

Mitra Emami P.E., Eric Butler P.E., Len Marino P.E.



OWNER: DIABLO VINEYARDS  
 C/O BRAD LANGE  
 1298 W. JAHANT ROAD  
 ACAMPO, CA 95220

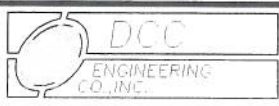
DATUM: NGVD 29

ADJACENT PROPERTY OWNER:

UPSTREAM: APN: 0177-060-080  
 ISLANDS INC  
 3338 STATE HIGHWAY 84  
 WALNUT GROVE, CA 95690

CONTENTS:  
 VICINITY MAP

APN: 0177-060-070



TEL (916) 770-1237 FAX (916) 770-2286  
 P.O. BOX 509  
 WALNUT GROVE, CA 95690

Architecture  
 Civil Engineering  
 Land Use Planning  
 Feasibility Studies  
 Environmental Permitting  
 Program Construction Management

PROJECT: IRRIGATION PIPE REPLACEMENT  
 IN LEVEE CROWN

IN: STEAMBOAT SLOUGH  
 RIVERMILE: 15.8±

COUNTY: SOLANO

STATE: CA

APPLICATION BY:  
 DCC ENGINEERING CO., INC.

JOB #: 7666.01

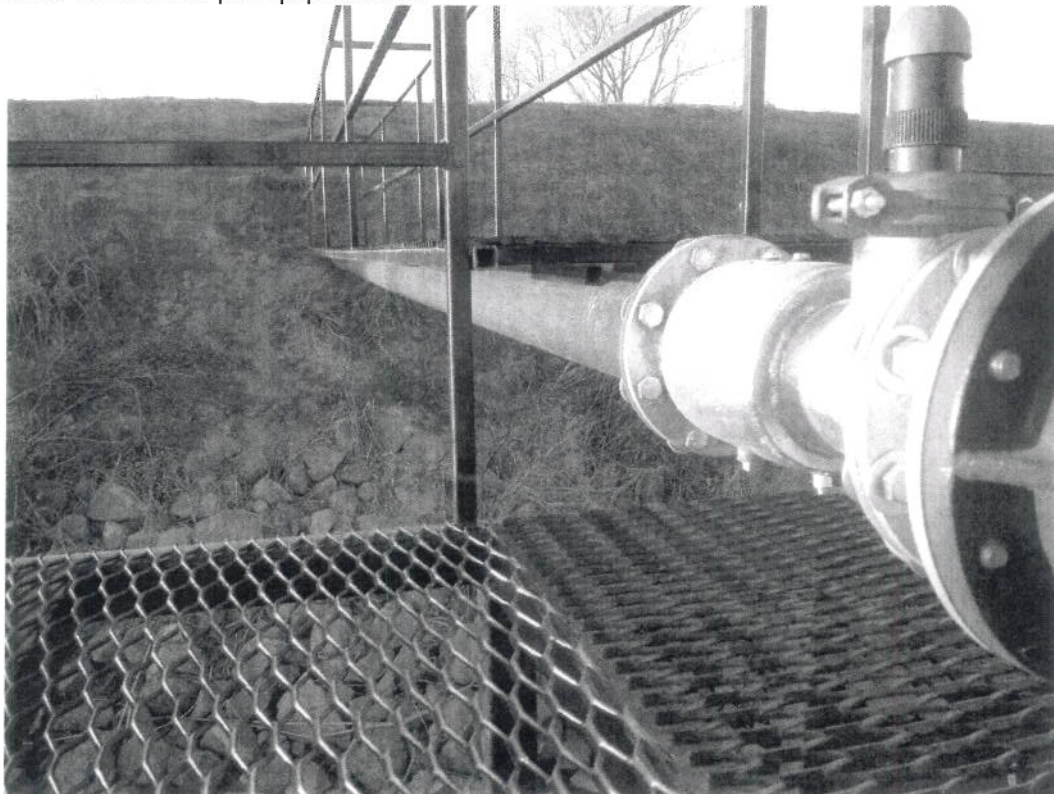
SHEET 1 OF 4 DATE: 01/12/12

**Maria Ranch River Pump Pipe Rap Replacement . . . . . Steamboat Slough**  
**APN: 0177-060-070, Solano County**

View across channel.



Upland view from pump platform.



**Maria Ranch River Pump Pipe Rap Replacement . . . . . Steamboat Slough**  
**APN: 0177-060-070, Solano County**

Upstream view.



Downstream view.



This page intentionally left blank.



STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
**THE CENTRAL VALLEY FLOOD PROTECTION BOARD**

**PERMIT NO. 18766 BD**

**This Permit is issued to:**

Diablo Vineyards  
1298 W. Jahant Road  
Acampo, California 95220

Remove and replace a 10-inch diameter steel irrigation pipe in the levee crown. The project is located on the right levee of Steamboat Slough approximately 3.5 miles northeast of Rio Vista, in Solano County. (Section 21, T4N, R3E, MDB&M, Reclamation District 501, Steamboat Slough, Solano County).

**NOTE:** Special Conditions have been incorporated herein which may place limitations on and/or require modification of your proposed project as described above.

**(SEAL)**

Dated: \_\_\_\_\_

\_\_\_\_\_

Executive Officer

**GENERAL CONDITIONS:**

**ONE:** This permit is issued under the provisions of Sections 8700 – 8723 of the Water Code.

**TWO:** Only work described in the subject application is authorized hereby.

**THREE:** This permit does not grant a right to use or construct works on land owned by the Sacramento and San Joaquin Drainage District or on any other land.

**FOUR:** The approved work shall be accomplished under the direction and supervision of the State Department of Water Resources, and the permittee shall conform to all requirements of the Department and The Central Valley Flood Protection Board.

**FIVE:** Unless the work herein contemplated shall have been commenced within one year after issuance of this permit, the Board reserves the right to change any conditions in this permit as may be consistent with current flood control standards and policies of The Central Valley Flood Protection Board.

**SIX:** This permit shall remain in effect until revoked. In the event any conditions in this permit are not complied with, it may be revoked on 15 days' notice.

**SEVEN:** It is understood and agreed to by the permittee that the start of any work under this permit shall constitute an acceptance of the conditions in this permit and an agreement to perform work in accordance therewith.

**EIGHT:** This permit does not establish any precedent with respect to any other application received by The Central Valley Flood Protection Board.

**NINE:** The permittee shall, when required by law, secure the written order or consent from all other public agencies having jurisdiction.

**TEN:** The permittee is responsible for all personal liability and property damage which may arise out of failure on the permittee's part to perform the obligations under this permit. If any claim of liability is made against the State of California, or any departments thereof, the United States of America, a local district or other maintaining agencies and the officers, agents or employees thereof, the permittee shall defend and shall hold each of them harmless from each claim.

**ELEVEN:** The permittee shall exercise reasonable care to operate and maintain any work authorized herein to preclude injury to or damage to any works necessary to any plan of flood control adopted by the Board or the Legislature, or interfere with the successful execution, functioning or operation of any plan of flood control adopted by the Board or the Legislature.

**TWELVE:** Should any of the work not conform to the conditions of this permit, the permittee, upon order of The Central Valley Flood Protection Board, shall in the manner prescribed by the Board be responsible for the cost and expense to remove, alter, relocate, or reconstruct all or any part of the work herein approved.

#### **SPECIAL CONDITIONS FOR PERMIT NO. 18766 BD**

**THIRTEEN:** If the construction project extends onto land owned in fee and/or easement by the Sacramento and San Joaquin Drainage District acting by and through the Central Valley Flood Protection Board (Board), the permittee should secure an easement, license, or temporary entry permit from the Board prior to commencement of work. Contact Angelica Aguilar at (916) 653-5782.

**FOURTEEN:** All work approved by this permit shall be in accordance with the submitted drawings and specifications except as modified by special permit conditions herein. No further work, other than that approved by this permit, shall be done in the area without prior approval of the Central Valley Flood Protection Board.

**FIFTEEN:** Upon receipt of a signed copy of the issued (not approved only) permit the permittee shall contact the Department of Water Resources by telephone, (916) 574-0609, and submit the enclosed postcard to schedule a preconstruction conference. Failure to do so at least 10 working days prior to start of work may result in delay of the project.

**SIXTEEN:** The Central Valley Flood Protection Board, Department of Water Resources, and Reclamation District No. 501 shall not be held liable for any damages to the permitted encroachment(s) resulting from flood fight, operation, maintenance, inspection, or emergency repair.

**SEVENTEEN:** The permittee may be required, at permittee's cost and expense, to remove, alter, relocate, or reconstruct all or any part of the permitted encroachment(s) if removal, alteration, relocation, or reconstruction is necessary as part of or in conjunction with any present or future flood control plan or project or if damaged by any cause. If the permittee does not comply, the Central Valley Flood Protection Board may remove the encroachment(s) at the permittee's expense.

**EIGHTEEN:** The permittee should contact the U.S. Army Corps of Engineers, Sacramento District, Regulatory Branch, 1325 J Street, Sacramento, California 95814, telephone (916) 557-5250, as compliance with Section 10 of the Rivers and Harbors Act and/or Section 404 of the Clean Water Act may be required.

NINETEEN: The permittee is responsible for all liability associated with construction, operation, and maintenance of the permitted facilities and shall defend, indemnify, and hold the Central Valley Flood Protection Board and the State of California; including its agencies, departments, boards, commissions, and their respective officers, agents, employees, successors and assigns (collectively, the "State"), safe and harmless, of and from all claims and damages arising from the project undertaken pursuant to this permit, all to the extent allowed by law. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.

TWENTY: The permittee shall defend, indemnify, and hold the Central Valley Flood Protection Board and the State of California, including its agencies, departments, boards, commissions, and their respective officers, agents, employees, successors and assigns (collectively, the "State"), safe and harmless, of and from all claims and damages related to the Central Valley Flood Protection Board's approval of this permit, including but not limited to claims filed pursuant to the California Environmental Quality Act. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.

TWENTY-ONE: If the project, or any portion thereof, is to be abandoned in the future, the permittee or successor shall abandon the project under direction of the Central Valley Flood Protection Board and Department of Water Resources, at the permittee's or successor's cost and expense.

TWENTY-TWO: No construction work of any kind shall be done during the flood season from November 1 to April 15 without prior approval of the Central Valley Flood Protection Board.

TWENTY-THREE: The permitted encroachment(s) shall not interfere with operation and maintenance of the flood control project. If the permitted encroachment(s) are determined by any agency responsible for operation or maintenance of the flood control project to interfere, the permittee shall be required, at permittee's cost and expense, to modify or remove the permitted encroachment(s) under direction of the Central Valley Flood Protection Board or Department of Water Resources. If the permittee does not comply, the Central Valley Flood Protection Board may modify or remove the encroachment(s) at the permittee's expense.

TWENTY-FOUR: Cleared trees and brush shall be completely burned or removed from the floodway, and downed trees or brush shall not remain in the floodway during the flood season from November 1 to April 15.

TWENTY-FIVE: At all times during construction, at least one lane of the levee crown roadway shall be kept clear for vehicular access.

TWENTY-SIX: A temporary bench mark, set to a known datum, shall be placed at the project site during construction.

TWENTY-SEVEN: Pipe installed in the levee section and within 10 feet of the levee toes shall be new steel and at least 10 gauge. Steel pipe shall be corrosion-proofed externally with a coating of coal-tar enamel; asphalt-saturated felt wrap; cement mortar; or PVC or polyethylene tape wrapped to a thickness of 30 mils. Steel pipe shall be corrosion-proofed internally with a continuous lining of cement mortar or asphalt.

TWENTY-EIGHT: All pipe joints within the levee section shall be butt welded or threaded.

TWENTY-NINE: The existing pipeline shall be tested and confirmed free of leaks by X-ray, pressure tests, or other approved methods during construction or anytime after construction upon request by the Central Valley Flood Protection Board.

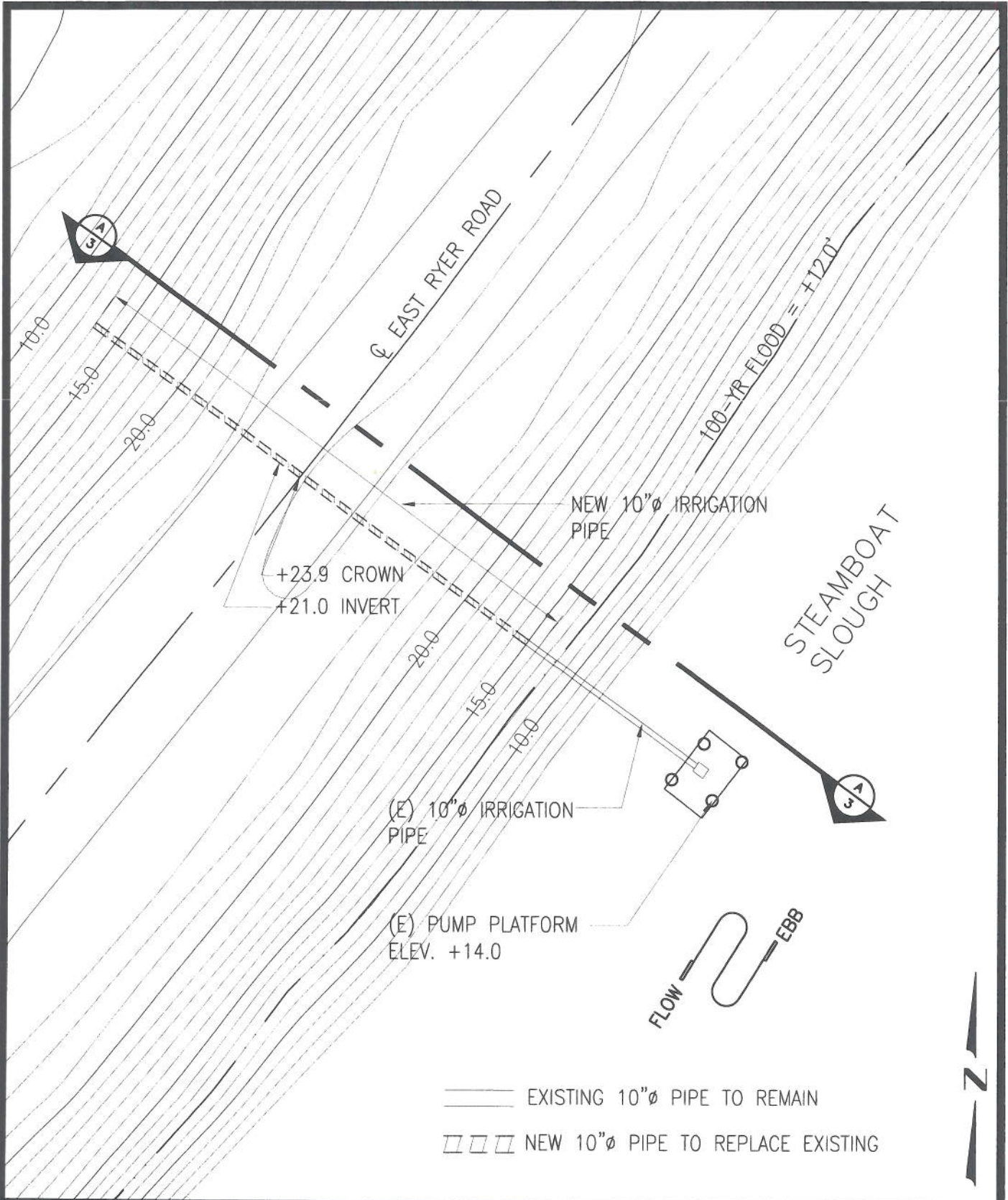
THIRTY: Backfill material for excavations within the levee section and within 10 feet of the levee toes shall be placed in 4- to 6-inch layers, moisture conditioned above optimum moisture content, and compacted to a minimum of 90 percent relative compaction as measured by ASTM Method D1557-91.

THIRTY-ONE: Density tests by a certified materials laboratory will be required to verify compaction of backfill within the levee section.

THIRTY-TWO: In the event existing rock revetment on the levee section is disturbed or displaced during construction, it shall be restored to its preconstruction condition.

THIRTY-THREE: The project area shall be restored to at least the condition that existed prior to commencement of work.

THIRTY-FOUR: The permittee shall comply with all conditions set forth in the letter from the Department of the Army (U.S. Army Corps of Engineers, Sacramento District) dated September XX, 2012, which is attached to this permit as Exhibit A and is incorporated by reference.



APPLICANT: DIABLO VINEYARDS  
1298 W. JAHANT ROAD  
ACAMPO, CA 95220

DATUM: NGVD

DATE: 01/12/12

CONTENTS:  
SITE PLAN

**DCC**  
ENGINEERING  
CO., INC.

Architecture  
Civil Engineering  
Land Use Planning  
Feasibility Studies  
Environmental Permitting  
Program/Construction Management

PROJECT: IRRIGATION PIPE REPLACEMENT  
IN LEVEE CROWN

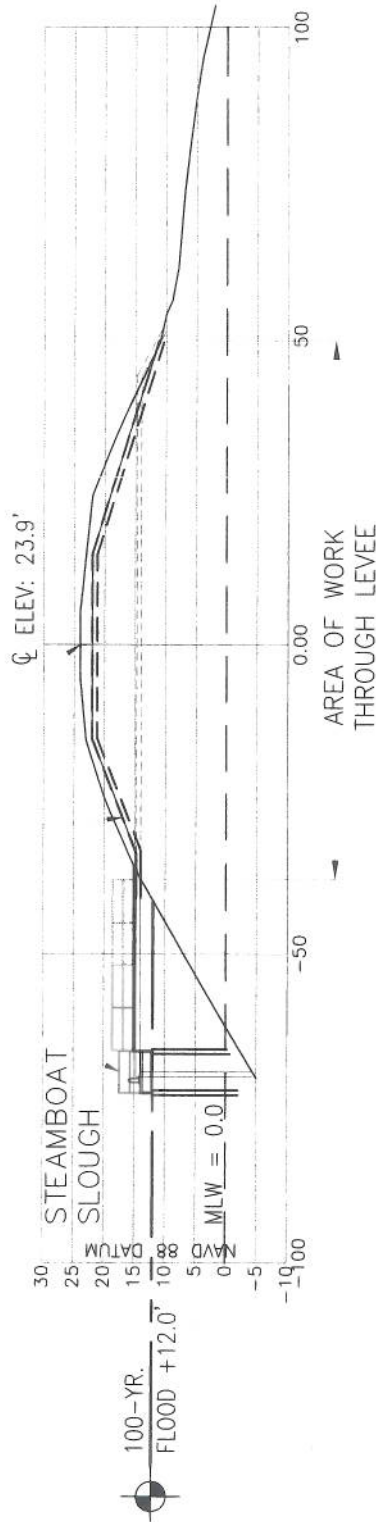
SCALE: 1" = 30'-0"

SITE #: 7666.01

SHEET: 2 OF 4 ,REV. \_

EXISTING PLATFORM  
AND GANGWAY

EXIST 10"Ø STEEL IRRIGATION PIPE  
TO BE REMOVED PER RECLAMATION  
AND FLOOD BOARD STANDARDS WITH  
NEW 10"Ø 0.375" THICK STD. STEEL  
PIPE COATED WITH LIQUID EPOXY  
PER ANSI/AWWA STD.



- EXISTING GROUND
- - - 100 YEAR FLOOD ELEVATION
- · - · - EXISTING IRRIGATION PIPE
- - - PROPOSED REPLACEMENT PIPES AT LEVEE CROWN

NOTE: NEW PIPE TO BE INSTALLED  
IN LEVEE SLOPE WITH 1 FOOT OF  
COVER PER CVFB STDS

APPLICANT: DIABLO VINEYARDS  
1298 W. JAHANT ROAD  
ACAMPO, CA 95220

DATUM: NGVD

DATE: 01/12/12

CONTENTS:  
SITE PLAN



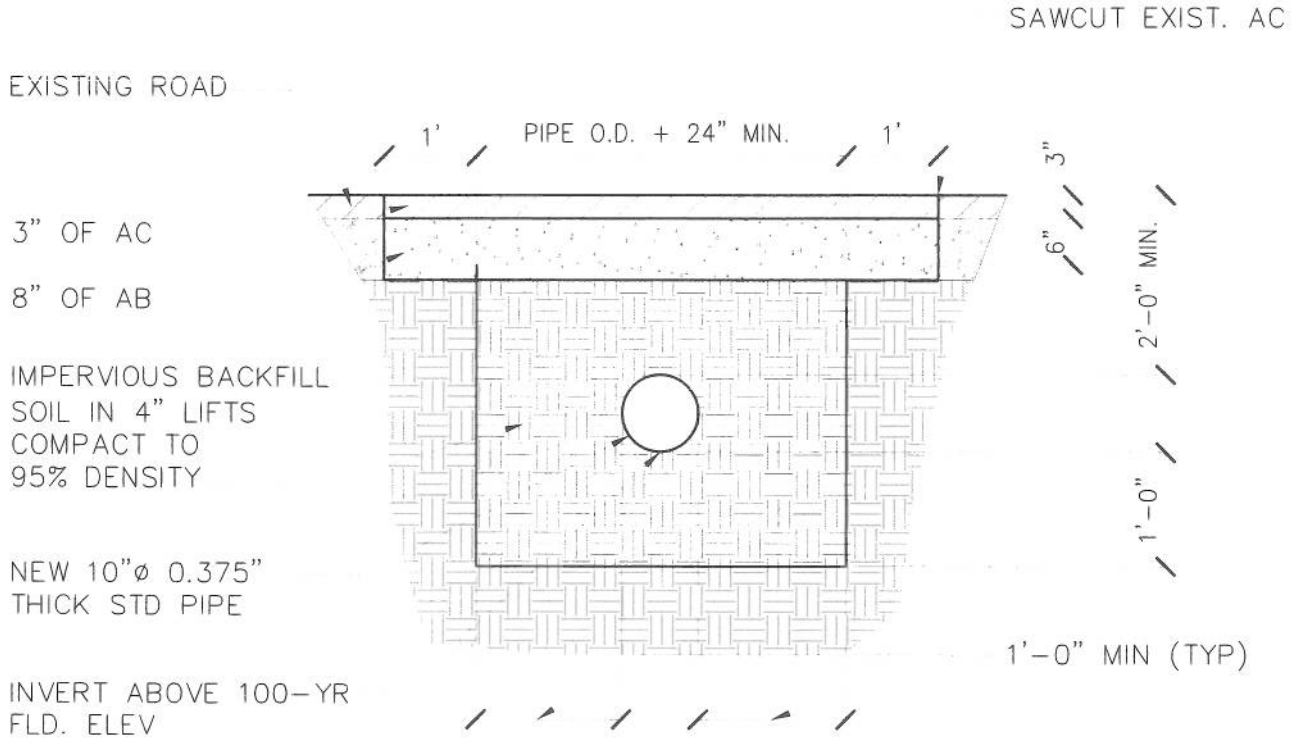
Architecture  
Civil Engineering  
Land Use Planning  
Feasibility Studies  
Environmental Permitting  
Program/Construction Management

PROJECT: IRRIGATION PIPE REPLACEMENT  
IN LEVEE CROWN

SCALE: 1" = 30'-0"

SITE #: 7666.01

SHEET: 3 OF 4, REV. \_\_\_



APPLICANT: DIABLO VINEYARDS  
1298 W. JAHANT ROAD  
ACAMPO, CA 95220

DATUM: NGVD

DATE: 01/12/12

CONTENTS:  
TRENCH DETAIL



Architecture  
Civil Engineering  
Land Use Planning  
Feasibility Studies  
Environmental Permitting  
Program/Construction Management

PROJECT: IRRIGATION PIPE REPLACEMENT  
IN LEVEE CROWN

SCALE: 1/2" = 1'-0"

SITE #: 7666.01

SHEET: 4 OF 4, REV. \_\_